

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re:

HARPOLE CONSTRUCTION, INC.,

Case no. 15-12630 t11

Debtor.

**ORDER RESULTING FROM SCHEDULING CONFERENCE**

This matter came before the Court on February 21, 2017 at 10:00 a.m. for a scheduling conference on Four Corners Community Bank's ("FCCB's") Motion to Convert Case to a Case under Chapter 7 of the Bankruptcy Code, or, in the Alternative, Appoint a Trustee, docs. 410 and 411 (the "Motion to Convert"). Daniel White appeared for FCCB, and William Davis appeared for the Debtor.

IT IS HEREBY ORDERED:

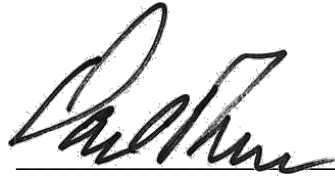
1. Continued Final Hearing Date and Time on the Motion to Convert. The final hearing on the Motion to Convert is continued to May 2, 2017 at 9:00 a.m. in the Animas Courtroom, 13<sup>th</sup> Floor, Dennis Chavez Federal Building and Courthouse, 500 Gold Avenue, SW, Albuquerque, New Mexico. Two days are set aside for the final hearing.
2. Final Hearing Date and Time on Stay Relief Motion. A final hearing on FCCB's Motion for Relief from Stay, doc. 408 (the "Stay Relief Motion") shall be held on May 2, 2017 at 9:00 a.m. in the Animas Courtroom, 13<sup>th</sup> Floor, Dennis Chavez Federal Building and Courthouse, 500 Gold Avenue, SW, Albuquerque, New Mexico. Two days are set aside for the final hearing.
3. Exhibits; Exhibit Lists. By April 21, 2017, the parties shall file and serve a list of exhibits, and shall exchange exhibits, except for rebuttal exhibits that cannot reasonably be anticipated. Parties shall provide three copies of the exhibits to Chambers (one for the Court, one

for the Court's law clerk, and one for the witness) before the hearing. FCCB's exhibits are to be marked with numbers, and Debtor's exhibits with letters. Each page of any multiple-page exhibit shall be numbered. Exhibits shall be accompanied by a list of the exhibits by number or letter and a brief description or name of each exhibit. If a party intends to offer more than five exhibits, then the exhibits shall be tabbed and bound in three-ring binders or by some similar binding. Any counsel requiring authentication of any exhibit must so notify in writing the offering counsel within seven days before the final hearing date, or objection to authenticity will be waived. The Court generally will exclude exhibits not exchanged as required. The parties shall be prepared to notify the Court at the beginning of the hearing which exhibits can be admitted into evidence by stipulation.

4. Witnesses. By April 21, 2017 the parties shall file and serve lists of persons the party expects to call to testify at the final hearings, except for rebuttal witnesses that cannot reasonably be anticipated. The Court may exclude from testifying any witnesses not listed.

5. Discovery Deadline. All discovery shall be completed by April 17, 2017. Discovery shall be timely only if served soon enough to allow the other parties to respond (using the applicable response times) before the discovery completion deadline. Before moving for an order relating to discovery, the movant must request a conference with the Court.

6. Disposal of Exhibits. Unless an appeal is pending, 30 days after an order ruling on the motions becomes final the Court will dispose of all hearing exhibits in its possession that have not been retrieved by the submitting party.



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Hon. David T. Thuma  
United States Bankruptcy Judge

Entered: February 22, 2017

Copies to:

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